

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

SHERRY RUSSELL,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-15-0032-HE
	)	
CAROLYN W. COLVIN,	)	
Acting Commissioner of the	)	
Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff Sherry Russell filed this action seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration denying her application for disability insurance benefits. Consistent with 28 U.S.C. § 636(b)(1)(B), (b)(3) and Fed.R.Civ.P.72(b), the case was referred to Magistrate Judge Suzanne Mitchell, who issued a Report and Recommendation recommending that the Commissioner's decision be affirmed.


Plaintiff filed her application for disability benefits on September 5, 2011. When it was denied initially and on reconsideration, she requested a hearing before an Administrative Law Judge ("ALJ"). After a hearing, the ALJ issued an unfavorable decision on June 28, 2013. When the Appeals Council denied plaintiff's request for review, the ALJ's decision became the final decision of the Commissioner.

Plaintiff failed to object to the Report and Recommendation and thereby waived her right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C.

§636(b)(1)(C). Accordingly, the court **ADOPTS** Magistrate Judge Mitchell's Report and Recommendation. The Commissioner's decision is **AFFIRMED**.

**IT IS SO ORDERED.**

Dated this 19th day of October, 2015.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE